

REMARKS

Claims 58-89 and 92-104 are pending, of which claims 58 and 94 are independent method claims with corresponding independent computer program product claims 73 and 99. As indicated above, claims 58, 73, 88, and 89 have been amended by this paper, and claims 90-91 have been canceled.

The Office Action rejected claims 88-91 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, claims 88-91 depended on claims 10 and 27, which had been canceled. Accordingly, Applicants have amended claims 88 and 89 to depend on claim 87, and have canceled claims 90-91 without prejudice.¹

The Office Action rejected independent claims 58 and 73 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,081,803 to Schindler ("*Schindler*") in view of U.S. Patent No. 6,600,503 to Stautner et al. ("*Stautner*"); rejected independent claims 94 and 99 under 35 U.S.C. § 103(a) as being unpatentable over *Schindler* and *Stautner* in view of U.S. Patent No. 6,545,722 to Schultheiss et al. ("*Schultheiss*"); and rejected each of the dependent claims under 35 U.S.C. § 103(a) as unpatentable over various combinations of *Schindler*, *Stautner*, *Schultheiss*, and U.S. Patent No. 6,526,577 to Knudson et al. ("*Knudson*").²

Applicants' invention, as claimed for example in independent method claim 58, relates to a service provider controlling a client system's access to one or more chat rooms that have been associated with a particular video program. The method includes receiving a video program from a video source, displaying the video program, receiving chat link data from the service provider indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program, and displaying the user selectable chat link simultaneously with the video program. The method further includes sending a chat request to a host server upon receiving user selection of the chat link, receiving a time zone specific chat room identifier from the host server that identifies a time zone specific chat room associated with the video program and a chat server, and automatically connecting the client system with the

¹Applicants note for the record that subject matter of claim 90-91 is covered by claims 88-89, and therefore canceling claims 90-91 does not evince an intent to surrender any subject matter.

²Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

time zone specific chat room that is associated with the video program using the chat room identifier received from the host server. Independent claim 73 contains similar limitations, but is directed to a computer program product.

Schindler is directed to a system and method for automatically linking to chat rooms. Col. 1, ll. 65-66. In *Schindler*, a user is automatically presented a chat room corresponding to a television program that is being displayed at the same time. Col. 7, ll. 3-11. When a user changes a channel, then the chat room is also automatically changed to correspond with the new channel. Col. 6, ll. 44-60.

Stautner discloses an integrated content guide that contains information about content availability for television, on-line services, and the like. Col. 3, ll. 45-55. Within the content guide, icons may provide access to advertisements, chat sessions, and other content. Col. 6, ll. 8-55; Figure 2.

Knudson discloses an interactive television program guide. Abstract. Data for the program guide may include television programming data (e.g., program identifiers, times, channels, titles, and descriptions) as well as data for other services (e.g., help text, pay-per-view information, weather information, sports information, music channel information, associated Internet web links, associated software, etc.). Col. 4, ll. 47-54.

Schultheiss discloses systems and methods that use a PC to access desired information while watching television. Col. 1, ll. 58-60. In *Schultheiss*, a user may chat with others over the Internet while watching TV. Col. 15, ll. 3-25.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation . . . to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143.

With respect to independent claims 58 and 73, *Schindler*, *Stautner*, *Knudson*, and *Schultheiss*, fail to teach or suggest receiving a time zone specific chat room identifier from the host server that identifies a time zone specific chat room associated with the video program and a chat server, and automatically connecting the client system with the time zone specific chat room that is associated with the video program using the time zone specific chat room identifier received from the host server. As Applicants note, at lines 3-8 on page 22 of the Specification, one challenge presented by chat rooms linked to a particular show is that the show may play at

different times in different time zones. Depending on the length of the show, the show may or may not have ended by the time it starts in the next time zone. Thus, it may be desirable to create time zone specific chat rooms to eliminate the possibility of intersecting usage by participants in different time zones. Applicants, therefore, respectfully submit that the rejection of independent claims 58 and 73 as unpatentable over *Schindler* and *Stautner* should be withdrawn, because among other things, *Schindler*, *Stautner*, *Knudson*, and *Schultheiss*, fail to teach or suggest receiving a time zone specific chat room identifier for a time zone specific chat room.

Applicants' invention, as claimed for example in independent method claim 94, also relates to a service provider controlling a client system's access to one or more chat rooms that have been associated with a particular video program. The method includes receiving a video program from a video source, displaying the video program, receiving chat link data from the service provider indicating that the client system may display a user selectable chat link for connecting to a chat room that is associated with the video program, and displaying the user selectable chat link simultaneously with the video program. The method further includes sending a chat request to a host server upon receiving user selection of the chat link, receiving a time zone specific chat room identifier from the host server that identifies a time zone specific chat room associated with the video program and a chat server, automatically connecting the client system with the time zone specific chat room that is associated with the video program using the chat room identifier received from the host server, receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system, each of which defines at least a video region for displaying the video program and a chat region for displaying text communication, and displaying any received or sent chat communication based on the identified user interface template. Independent claim 99 contains similar limitations, but is directed to a computer program product.

As Applicants note, for example, at lines 3-13 on page 19 of the Specification, an HTML formatted web page may be employed as a user interface template for use in quickly creating a desired user interface. Alternative templates may be used to create the various user interfaces described earlier in the Specification. The particular template employed may be selected based on an identifying characteristic of the broadcast video signal. Upon identifying the

characteristic, a template may be selected which defines, for example, a video region for display of the broadcast video signal, a chat region for display of chat communications, and a logo region for display of a logo which reflects the identifying characteristic of the broadcast video signal. Accordingly, the user interface may be customized based on a particular show, episode, network, network affiliate, or other consideration.

In rejecting independent claims 94 and 99, the Office Action acknowledges that neither *Schindler* nor *Stautner* disclose receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system, each of which defines at least a video region for displaying the video program and a chat region for displaying text communication, and displaying any received or sent chat communication based on the identified user interface template. Office Action, p. 12-14 (rejections of claims 94 and 99).³ Nevertheless, in support of the rejection for claims 94 and 99, the Office Action asserts that beginning at column 5, line 14, *Schultheiss* teaches these limitations. Office Action, p. 13 (rejection of claim 94). Applicants respectfully disagree.

Applicants submit that the portions of *Schultheiss* cited in the Office Action make no reference to receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system. In fact, the cited portions of *Schultheiss* make no reference to user interface templates whatsoever. Specifically, the Office Action asserts that *Schultheiss* discloses the limitations at issue in that: "set top box receives the user commands from the wireless remote control 103 via the communication link 110. The set top box 100 controls the display of information on the TV 115 in response to the user commands." Office Action, p. 13 (rejection of claim 94).

Applicants, however, do not claim a set top box receiving user commands from a wireless remote control via a communication link or a set top box controlling the display of information on a TV in response to the user commands. Rather, in both claims 94 and 99 Applicants recite receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system, each of which defines at least a video region for displaying the video program and a chat region for

³On page 11, the rejection refers to claim 58, but given the context of the rejection, it is apparent that the rejection is being applied to claim 94.

displaying text communication, and displaying any received or sent chat communication based on the identified user interface template.

There is no indication in *Schultheiss* that any of the disclosed user interface screens could be characterized as having been based on a user interface template. At best *Schultheiss* discloses only one user interface for chat communication. Col. 15, ll. 3-25; Figure 32. Furthermore, the Office Action's motivation to combine *Schultheiss* undermines any claim to the contrary by stating that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schindler and Stautner to use the teachings as taught by *Schultheiss* in order to allow user to control the display on the screen." Office Action, p. 13 (rejection of claim 94) (emphasis added). Based on the asserted motivation to combine, how can *Schultheiss* be said to teach receiving a user interface template identifying characteristic with the video program when the motivation is based on allowing a user to control the display on the screen?

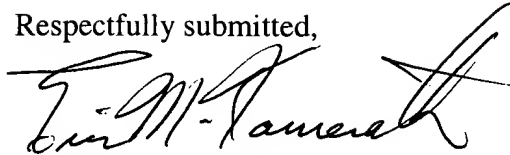
Therefore, *Schindler*, *Stautner*, and *Schultheiss* fail to teach or suggest all the claim limitations, specifically in that among other things, *Schultheiss* fails to teach or suggest receiving a user interface template identifying characteristic with the video program that identifies one of a plurality of distinct user interface templates available at the client system, each of which defines at least a video region for displaying the video program and a chat region for displaying text communication, and displaying any received or sent chat communication based on the identified user interface template, as asserted in the Office Action.

Based on at least the foregoing reasons, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example, in independent claims 58, 73, 94, and 99. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertions with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 20th day of May 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric M. Kamerath", with a stylized flourish at the end.

RICK D. NYDEGGER
Registration No. 28,651
ERIC M. KAMERATH
Registration No. 46,081
Attorneys for Applicant
Customer No. 022913